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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,995	11/26/2003	Takashi Suzuki	032038	6536

38834 7590 12/29/2004

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EXAMINER


ADAMS, GREGORY W

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/721,995	Applicant(s) SUZUKI, TAKASHI 	
	Examiner Gregory W. Adams	Art Unit 3652	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____   | 6) <input type="checkbox"/> Other: ____                                     |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-6, are objected to because of the following informalities: they are not in proper idiomatic format per US Patent and Trademark standards. Appropriate correction is required.
2. With respect to claim 1, line 3,4, in place of "...the system being characterized: in that conveying means is mounted..." the following is suggested: "...the system comprising: conveying means mounted..."
3. With respect to claim 2, line 2, in place of "...characterized in that upper stations are arranged...", the following is suggested: "...comprising upper stations arranged..."
4. With respect to claim 3, line 2, in place of "...characterized in that ground stations are arranged...", the following is suggested: "...comprising ground stations arranged..."
5. With respect to claim 4, line 2, in place of "...characterized in that each of the buffers...", the following is suggested: "...comprising each of the buffers..."
6. With respect to claim 5, line 2, in place of "characterized in that ground stations are arranged...", the following is suggested: "...comprising ground stations arranged..."
7. With respect to claim 6, line 2, in place of "characterized in that ground stations are arranged...", the following is suggested: "...comprising ground stations arranged..."

### ***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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9. Claims 1, 2, 4, 5 & 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. With respect to claim 1, line 5, it is unclear whether the conveying means or the carriage load and unload. Also, it is unclear whether there is a loading and unloading in a "direction orthogonal" or in the alternative, whether the conveying means or the carriage have movement in a "direction orthogonal"?

***Claim Rejections - 35 USC § 102***

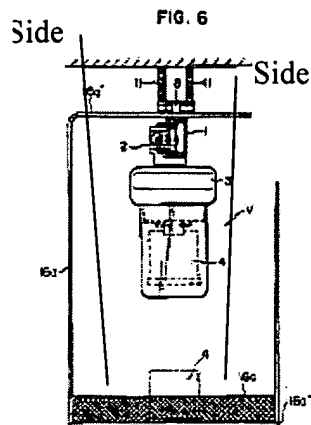
11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Shiwaku (US 6,183,184) cited by applicant.

13. With respect to claim 1, referring to FIGS. 1-14 Shiwaku discloses an overhead traveling carriage system having overhead traveling carriages 2, article 4, running path 1, conveying means 3, carriage body 7, V, buffers 16, 16a, to the side of a running path 1 as shown below, and loading and unloading means 42, 44. It is noted that Shiwaku disclose placement of the buffer 16, 16a to the side of a path.



14. With respect to claim 2, referring to FIGS. 1-14 Shiwaku discloses an upper station 50, and input and output means 42, 44. Referring to FIGS. 1 & 11 Shiwaku discloses placement of the station 50 to the side of running path 1.
15. With respect to claim 3, referring to FIGS. 1-14 Shiwaku discloses a ground station p1, p2, and a hoist 7, 5, that operates in a vertical direction.
16. With respect to claim 4, referring to FIGS. 12 Shiwaku discloses buffers 16, 16a and upper station 50 that are opposite each other across the running path 1. Referring to FIGS. 12 it is noted that buffer 16, 16a is on the opposite end from station 50, while a buffer 16, 16a and upper station 50 are cross the running path 1.
17. With respect to claim 5, referring to FIGS. 1-14 Shiwaku discloses ground station p1, p2, below a running path 1, hoist 7, 5, mounted to an overhead traveling carriage 2, wherein the hoist delivers and receives articles 4 in a vertical direction.
18. With respect to claim 6, referring to FIGS. 1-14 Shiwaku discloses ground station p1, p2, below a running path 1, and a hoist 7, 5 to deliver and receive articles 4 to and from ground station p1, p2.

***Conclusion***

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,726,429 to Sackett et al. disclose a hoist for moving an article vertically between an upper station and a ground station.

US 6,540,466 to Bachrach discloses a hoist for moving an article vertically between an upper station and a ground station, and between a buffer station and an upper station.

US 6,533,101 to Bonora et al. discloses a self-propelled traveling carriage.

US 6,530,735 to Trammell discloses a gripper for an overhead carriage system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (703) 305-0555. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GWA

A handwritten signature in black ink, reading "Kathy Matecki". The signature is fluid and cursive, with the first name "Kathy" and last name "Matecki" clearly distinguishable.

KATHY MATECKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600